

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

EDWIN R. BANKS

Plaintiff,

v.

ALEX M. AZAR, *in his official
capacity as Secretary of the U.S.
Department of Health and Human
Services,*

Defendants.

Case No.: 5:20-cv-0565-LCB


ORDER

The Eleventh Circuit vacated this Court's grant of summary judgment in favor of the Secretary and remanded the case with instructions to make an expedited determination on standing. (Doc. 58-1). The mandate was issued on September 2, 2021. The Court conducted a telephone conference on September 14, 2021, in which the parties and the Court discussed the need for briefing on the issue of standing. As discussed during that hearing, each party shall submit a brief as to that issue by October 12, 2021. Each party will also be allowed to file a response by October 18, 2021. No replies will be permitted.

During the hearing, the Plaintiff also suggested the need for discovery regarding the standing issue. Should he so desire, the Plaintiff may file a motion to that effect on or before October 12, 2021. The Secretary's response to that motion

will be due on October 18, 2021.

DONE and **ORDERED** September 20, 2021.



LILES C. BURKE
UNITED STATES DISTRICT JUDGE